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**BEFORE THE ARIZONA CORPORATION COMMISSION**

COMMISSIONERS:  
KRISTIN K MAYES – Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

2010 MAY -3 P 1:27

AZ CORP COMMISSION  
DOCKET CONTROL

IN THE MATTER OF:  
MARK W. BOSWORTH and LISA A.  
BOSWORTH, husband and wife;

Docket No. S-20600A-08-0340

STEPHEN G. VAN CAMPEN and DIANE V.  
VANCAMPEN, husband and wife;

SUBPOENA DUCES TECUM  
PURSUANT TO A.R.S. §41-1062(A)(4)

MICHAEL J. SARGENT and PEGGY L.  
SARGENT, husband and wife;

ROBERT BORNHOLDT and JANE DOE  
BORNHOLDT, husband and wife;

Arizona Corporation Commission

**DOCKETED**

MARK BOSWORTH & ASSOCIATES, LLC,  
An Arizona limited liability company;

MAY - 3 2010

3 GRINGOS MEXICAN INVESTMENTS, LLC;  
An Arizona limited liability company

DOCKETED BY	<i>mm</i>
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Respondents.

**THE STATE OF ARIZONA HEREBY COMMANDS:**

Arizona Department of Real Estate (by its records keeper)  
2910 N. 44<sup>th</sup> Street  
Phoenix, AZ 85018

To appear and produce at the home office of MARK BOSWORTH, 18094 N. 100th Street,  
Scottsdale AZ 85255, the following records for inspection and copying, pursuant to A.R.S. §41-  
1062(A)(4); A.R.S. §12-2212(A) and Administrative Rule R14-3-210:

1 All documents, data or information in your possession for the preceding five years, in any type or  
2 form, including paper documents, internal communications, notes, Arizona Department of Real Estate  
3 (AZDRE) complaints or requests for investigation, results of any investigations or audits regardless of  
4 outcome, electronic or other ledgers, databases. All e-mails (including attachments).

5 All e-mails (including attachments) to include emails and complete chains/threads to or from  
6 former AZDRE Commissioner Sam Wercinski and any past or present AZDRE employee to Former Az  
7 Governor Janet Napolitano or her office including Jan Leshner, Arizona Corporation Commissioner Sandra  
8 Kennedy, Arizona Corporation Commissioner Paul Newman, Catherine Reagor, The Arizona Republic or  
9 Republic Media, Ray Stern, The Phoenix New Times, Phoenix Magazine, Channel 15 ABC or related  
10 parties, John DuPree, Matthew J. Nuebert, Matt Culbertson, or any other person that include the names of  
11 any respondents, parties or entities listed herein.  
12

13 All copies of AZDRE's written policies or other during previous 5 years, if any, on  
14 releasing information regarding ongoing investigations, releases under Freedom of Information  
15 Act and any form of press releases including resources used for such services in the normal  
16 course of business. Copies of all documents allegedly released under Freedom of Information Act  
17 including copy of request.  
18

19 Copies of all legal opinions sought by or given to AZDRE from the Arizona Attorney  
20 General's office or any other source regarding persons or entities listed below.

21 All photographs, to include requests from AZDRE employees for State of Arizona  
22 photographers to accompany them to any entity listed below (Linda Blevins) and name of  
23 photographers that accompanied AZDRE employee(s). This will include Blevins misspelling of  
24 GORENTER entity and subsequent investigation by Blevins and state photographer. All  
25 photographs sent by former AZDRE Commissioner Wercinski to ANY media outlet including  
26 video recordings. A list of all current and former employees of AZDRE during the past 5 years.  
27 All recordings including audio or video, (analog or digital), transcriptions, digital files (in any  
28

1 format, including “. pdf,” “Word”, “Wordperfect”, or the like), relating to this matter and/or  
2 specifically the following persons or entities:

3  
4 STEPHEN G. VAN CAMPEN

5 DIANE V. VAN CAMPEN

6 ROBERT BORNHOLDT

7 MICHAEL J. SARGENT

8 BARBARA BROYLES

9 DAVE ZUNDEL

10 ALAN BYWATER

11 ALAN L DAVIS

12 BERNIE FLEMMING

13 GREG DAWSON

14 DAN MANLEY

15 GLEN WEBSTER

16 HOME AMERICA PROPERTY MANAGEMENT, LLC

17 MARK BOSWORTH & ASSOCIATES, LLC

18 3 GRINGOS MEXICAN INVESTMENTS, LLC

19 MARK BOSWORTH

20 ALAN R. COSTELLO

21 DAVID M. REAVES

22 GORENTER

23 GORENTER.COM

24 THE MARK BOSWORTH COMPANIES

25 HOME AMERICA PROPERTY MANAGEMENT

26 PROPERTY MASTERS OF AMERICA

1 The reason these documents will be of service in the proceeding (pursuant to Administrative Rule  
2 R14-3-210 (B) are because the Respondents cannot properly and adequately prepare for the hearing  
3 scheduled in this matter without knowing the evidence that will be presented against them. Further, the  
4 documents will provide the basis the State of Arizona is seeking this hearing and the relative culpability  
5 (if any) of the Respondents in relation to the other parties. The information will also verify the extent of  
6 other documentation that is in the possession of other Respondents (and turned over to your office) that  
7 may not have been within the files of what Mark & Lisa Bosworth produced under subpoena.

8 You are to appear on MAY 26th, 2010 at 10:00 a.m. In the alternative, in lieu of personal  
9 appearance you may comply with this subpoena by providing the above data in either of the two  
10 following manners:

- 11 1. Electronically, in either Adobe Acrobat “. pdf”, Microsoft Word, or Excel file formats, along  
12 with an electronically signed statement or a “. pdf” facsimile attachment which attests to the  
13 completeness and accuracy of the records from the records custodian, e-mailed to  
14 theboz@cox.net within the timeframe herein provided; or
- 15 2. Provide paper copies of the documents and/or C/D copies, together with a signed attachment,  
16 which attests to the completeness and accuracy of the records from the records custodian,  
17 mailed to the above address within the timeframe herein provided.

18 **The date for appearance on this subpoena is MAY 26th, 2010 at 10:00 a.m.**

#### 19 **Your Duties In Responding To This Subpoena**

20 You have duty to produce the documents requested as you keep them in the usual course of  
21 business, or you may organize the documents and label them to correspond with the categories set forth in  
22 this subpoena. *See* Rule 45(d)(1) of the Arizona Rules of Civil Procedure.

23 If this subpoena asks you to produce and permit inspection and copying of designated books,  
24 papers, documents, tangible things, or the inspection of premises, you need not appear to produce the  
25 items unless the subpoena states that you must appear for a deposition, hearing or trial. *See* Rule  
26 45(c)(2)(A) of the Arizona Rules of Civil Procedure.

#### 27 **Your Right to Object**

28 The party or attorney serving the subpoena has a duty to take reasonable steps to avoid imposing  
an undue burden or expense on you. The Superior Court enforces this duty and may impose sanctions  
upon the party or attorney serving the subpoena if this duty is breached. *See* Rule 45(c)(1) of the Arizona  
Rules of Civil Procedure.

You may object to this subpoena if you feel that you should not be required to respond to the  
request(s) made. Any objection to this subpoena must be made within 14 days after it is served upon you,  
or before the time specified for compliance, by providing a written objection to the party or attorney  
serving the subpoena. *See* Rule 45(c)(2)(B) of the Arizona Rules of Civil Procedure.

If you object because you claim the information requested is privileged or subject to protection as  
trial preparation material, you must express the objection clearly, and support each objection with a  
description of the nature of the document, communication or item not produced so that the demanding  
party can contest the claim. *See* Rule 45(d)(2) of the Arizona Rules of Civil Procedure.

1 If you object to the subpoena in writing you do not need to comply with the subpoena until a  
2 court orders you to do so. It will be up to the party or attorney serving the subpoena to seek an order from  
3 the court to compel you to provide the documents or inspection requested, after providing notice to you.  
4 *See Rule 45(c)(2)(B) of the Arizona Rules of Civil Procedure.*

5 If you are not a party to the litigation, or an officer of a party, the court will issue an order to  
6 protect you from any significant expense resulting from the inspection and copying commanded. *See Rule*  
7 *45(c)(2)(B) of the Arizona Rules of Civil Procedure.*

8 You also may file a motion in the superior court of the county in which the case is pending to  
9 quash or modify the subpoena if the subpoena:

10 (i) does not provide a reasonable time for compliance;

11 (ii) requires a non-party or officer of a party to travel to a county different from the county where  
12 the person resides or does business in person; or to travel to a county different from where the subpoena  
13 was served; or to travel to a place farther than 40 miles from the place of service; or to travel to a place  
14 different from any other convenient place fixed by an order of a court, except that a subpoena for you to  
15 appear and testify at trial can command you to travel from any place within the state;

16 (iii) requires the disclosure of privileged or protected information and no waiver or exception  
17 applies; or

18 (iv) subjects you to an undue burden. *See Rule 45(c)(3)(A) of the Arizona Rules of Civil*  
19 *Procedure.*

20 If this subpoena:

21 (i) requires disclosure of a trade secret or other confidential research, development, or  
22 commercial trade information; or

23 (ii) requires disclosure of an unretained expert's opinion or information not describing specific  
24 events or occurrences in dispute and resulting from the expert's study made not at the request of any  
25 party; or

26 (iii) requires a person who is not a party or an officer of a party to incur substantial travel  
27 expense;

28 The court may either quash or modify the subpoena, or the court may order you to appear or  
produce documents only upon specified conditions, if the party who served the subpoena shows a  
substantial need for the testimony or material that cannot be otherwise met without undue hardship and  
assures that you will be reasonably compensated. *See Rule 45(c)(3)(B) of the Arizona Rules of Civil*  
*Procedure.*

A command to produce evidence or to permit inspection may be joined with a command to  
appear at trial or hearing or at deposition, or may be issued separately.

1 Requests for reasonable accommodation for persons with disabilities must be made to the court  
2 by parties at least 3 working days in advance of a scheduled court proceeding.

3 SIGNED AND SEALED this date:

4  
5 \_\_\_\_\_  
6 Executive Secretary of the A.C.C.

7 ORIGINAL FILED WITH:

8 Docket Control  
9 Arizona Corporation Commission  
10 1200 West Washington Street  
11 Phoenix, Arizona 85007

12 COPIES MAILED TO:

13 Matthew J. Neubert, Director Securities Division  
14 Arizona Corporation Commission  
15 1300 West Washington Street  
16 Phoenix, Arizona 85007

17 Marc E. Stern, Hearing Officer  
18 Hearing Division  
19 Arizona Corporation Commission  
20 1200 W Washington Street  
21 Phoenix, Arizona 85007

22 Aaron S. Ludwig, Esq.  
23 Securities Division  
24 Arizona Corporation Commission  
25 1300 W. Washington Street  
26 3<sup>rd</sup> Floor  
27 Phoenix, Arizona 85007

28 Paul J. Roshka, Esq.  
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Roshka DeWulf & Patten, PLC  
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Joshua R. Forest, Esq.  
Julie M. Beauregard, Esq.  
Mitchell & Forest PC  
Vaid Corporate Center, Ste 1715  
1850 N Central Avenue

Phoenix, Arizona 85004-4634

*Attorneys for Respondent Robert Bornholdt*

Norman C. Keyt, Esq.

Keyt Law Offices

3001 E. Camelback Rd, Ste. 130

Phoenix, Arizona 85016-4400

*Attorneys for Respondents Stephen G. Van Campen & Diane V. Van Campen*

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